

Entered - 05/11/00 - sb
CL00L0277 - DIANNE C. MITCHELL

01-*R*-0159

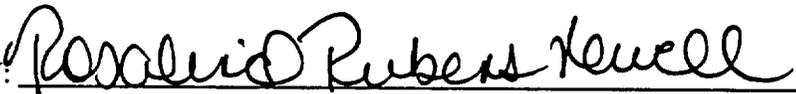
CLAIM OF: **COLLIER COMMONS HOMEOWNERS
ASSOCIATION**
716 Collier Commons Circle
Atlanta, Georgia 30318

For damages alleged to have been sustained as a result of property damage during the installation of curbing in April, 1999 at the Collier Commons Subdivision Entrance.

BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **COLLIER COMMONS HOMEOWNERS** the sum of \$1,559.00 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of property damage during the installation of curbing in April, 1999 at the Collier Commons Subdivision Entrance as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: 

ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0277

Date: January 29, 2001

Claimant /Victim COLLIER COMMONS HOMEOWNERS ASSOCIATION

BY: (Atty.) (Ins. Co.) _____

Address: 716 Collier Commons Circle, Atlanta, Georgia 30318

Subrogation: _____ Claim for Property damage \$ 1,559.00 Bodily Injury \$ _____

Date of Notice: 06/17/99 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 04/99 Place: Collier Commons Subdivision Entrance

Department Public Works Division: Street Operations

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant's property was damaged during the installation of curbing by City forces causing damages to landscaping and the sprinkler system.

INVESTIGATION:

Statements: City employee X Claimant _____ Others _____ Written _____ Oral X

Pictures _____ Diagrams _____ Reports: Police _____ Dept Report _____ Other _____

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental _____ Ministerial X

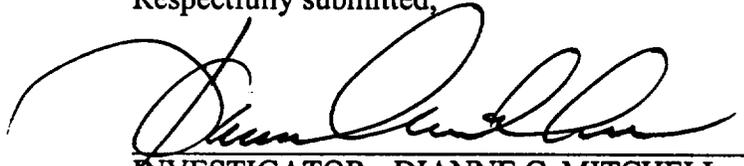
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable X

City not involved _____ Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,



INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 1,559.00 Adverse _____ Account charged: 1A01 X 2J01 _____ 2H01 _____

Claims Manager: [Signature] Concur/date 01-29-01

Committee Action: _____ Council Action _____

Mercedes-Benz

M. Mitchell
05/01/00

Atlanta Classic Cars, Inc.

ENTERED - 5-11-00 - SB
00L0277 - DIANNE MITCHELL

6-17-99

Dear Mr. Frank

My name is Aunt Z Phillips and I am the president of Collier Commers Homeowners Association. This spring we had a club installed by the city.

I wanted to take a minute and thank Mrs. Thure Wright for her help in the project and even Mrs Wright help in every way she could. I hope to realize what a great asset she is to your office.



Mercedes-Benz

Atlanta Classic Cars, Inc.

She even had a pot hole fixed on
Howell Mill Rd the same day it
requested it.

Best regards
John F. Clark
716 Collier Connor Circle
Atlanta GA 30318

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 00L0277

\$ 1,559.00

IN CONSIDERATION of the sum of ONE THOUSAND FIVE HUNDRED FIFTY-NINE & NO/100 DOLLARS, to be paid by the CITY OF ATLANTA, the future receipt of which is hereby acknowledged, I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever discharge said City, its officers and employees, from any and all claims, demands, actions, causes of action, suits, damages, loss and expenses, of whatsoever kind or nature for or on account of anything that has heretofore occurred, and particularly

for or on account of damage to the sprinkler system

which occurred during the month of April, 1999,

at or near Collier Commons subdivision entrance at Colliers Commons Circle

It is further understood and agreed that the payment of the above named sum is not to be considered as an admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents, servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers, agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

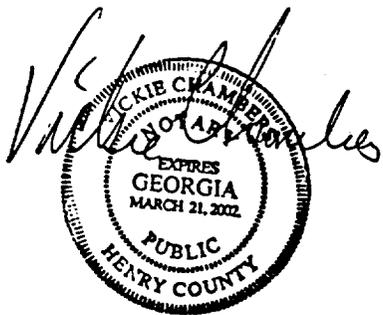
And I now state that the only consideration for my signing this release and indemnification is the payment of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this instrument.

WITNESS my hand and seal this 20th day of January, 2001, ~~2000~~

David Phillips (LS)
DAVID PHILLIPS, PRESIDENT
COLLIER COMMONS HOMEOWNERS ASSOCIATION

The above release was read and explained to, and signed by the said _____

_____ in our presence on the date above written.



[Signature]
[Signature]
WITNESSES

01- R-0159